

Remarks

Applicant appreciates the careful examination given to the Application as reflected in the Office Action mailed March 30, 2010. Pursuant to 37 C.F.R. § 1.114, Applicant submits a Request for Continued Examination (RCE); therefore, reconsideration and favorable action in this Application is respectfully requested.

Claims 1-123, 137 and 141-146 are canceled.

Claims 124-140 stand rejected.

Claims 124, 127 and 136 have been amended.

§112 Rejection of Claims

The Office Action rejects claims 124-136 and 138-140 under 35 U.S.C. § 112 as failing to comply with the written description requirement. The claim(s) contains subject matter which was not describing in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Citations of support for the various amendments refer to Specification in the published version of the instant application, US Patent Application 2006/0028442 A2.

Claim 124 has been amended to include the limitation, “calculating a tracking confidence value; based on an illumination value representative of an intensity of light sensed by the sensor;” Support for the amendment is found in the Specification at paragraph [0148], and in the code listing of paragraph [0152], specifically in the section of code listed as “Get (MdX,MdY)”.

Claim 124 has been further amended to include the limitation, “generating an enhanced tracking value representative of a sum of the tracking confidence value multiplied by the

measured tracking value and a value of (1-the tracking confidence value) multiplied by the projected total value. Support is found in the specification at paragraphs [150-152].

Claim 124, as amended, complies with the written description in the specification and reasonably conveys the meaning of the subject matter claimed to one skilled in the art. Therefore, claim 124 should be in condition for allowance.

Claims 127 and 136 have been amended to take into account the amendments to claim 124. It is suggested that Claims 124-136 and 138-140 are now in condition for allowance.

Interview Summary

An interview was conducted on June 22, 2010. In the interview, claims 124 and 133 were discussed. Applicant believes that agreement was reached as to language which places claim 124 in condition for allowance. The amendments to claim 124 presented in this paper reflect that understanding. Applicant appreciates the consideration of the Office in providing the opportunity for an interview.

Conclusion

Applicant has diligently read and studied the Office Action and the references cited. This response raises no new issues requiring further search. Claims 1-123, 137 and 141-146 are canceled. Claims 124-136 and 138-140 stand rejected. Claims 124, 127 and 136 have been amended.

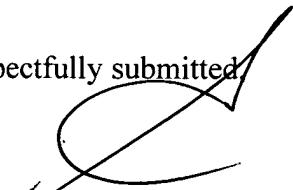
Applicant has amended claim 124 to comply with the written description. Applicant has also amended claims 127 and 136 to accommodate the amendment to claim 124. Thus, claims 125-140 that depend from claim 124 also comply with the written description.

For the reasons set forth above, it is believed that claims 124-136 and 138-140 are now in condition for allowance.

Should it facilitate allowance of the Application, the Office is invited to telephone the undersigned agent of record.

Dated: June 23, 2010.

Respectfully submitted



George R. Schultz
Reg. No. 35,674
SCHULTZ & ASSOCIATES, P.C.
One Lincoln Centre
5400 LBJ Freeway, Suite 1200
Dallas, Texas 75240
(214) 210-5940 telephone
(214) 210-5941 facsimile